

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
In re:)	Chapter 11
)	
EXAERIS, INC., and)	Bankr. Case No. 07-10887 (KG)
INYX USA, LTD., ¹)	Bankr. Case No. 07-10888 (KG)
)	
Debtors.)	
_____)	
DR. JACK KACHKAR,)	
)	
Appellant,)	
)	C.A. No. 07-621 GMS
v.)	
)	
STEPHEN S. GRAY, CHAPTER 11)	
TRUSTEE FOR INYX USA, LTD., and)	
WESTERNBANK PUERTO RICO,)	
)	
Appellees.)	
_____)	

NOTICE OF FILING OF
[PROPOSED] STIPULATED BRIEFING SCHEDULE

PLEASE TAKE NOTICE that, on this 25th day of February, 2008, counsel for the Appellant Dr. Jack Kachkar, hereby files, on behalf of the above-captioned parties, the attached [Proposed] Stipulated Briefing Schedule in accordance with this Court's Order of February 6, 2008 [D.I. 8].

Dated: February 25, 2008
Wilmington, Delaware

¹ The Exaeris, Inc. and Inyx USA, Ltd. bankruptcy cases were jointly administered at the outset of their cases at Bankruptcy Case No. 07-10887, however, on December 6, 2007, on the motion of Westernbank Puerto Rico, the Bankruptcy Court vacated the order for joint administration.

Respectfully submitted,

/s/ Leslie C. Heilman

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Dr. Jack Kachkar*

EXHIBIT “A”

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Chapter 11

EXAERIS, INC., and
INYX USA, LTD.,¹

Bankr. Case No. 07-10887 (KG)

Bankr. Case No. 07-10888 (KG)

Debtors.

DR. JACK KACHKAR,

Appellant,

C.A. No. 07-621 GMS

Y.

STEPHEN S. GRAY, CHAPTER 11
TRUSTEE FOR INYX USA, LTD., and
WESTERNBANK PUERTO RICO,

Appellees.

STIPULATED BRIEFING SCHEDULE

AND NOW, this ____ day of _____, 2008, upon the agreement of the parties, and in accordance with this Court's Order of February 6, 2008, it is hereby ORDERED that the parties shall file and serve their briefs in connection with this bankruptcy appeal as follows:

1. Dr. Jack Kachkar (“Appellant”) shall file and serve his opening brief within twenty (20) days after approval and entry of this Stipulated Briefing Schedule by the Court;

1 The Exaeris, Inc. and Inyx USA, Ltd. bankruptcy cases were jointly administered at the outset of their cases at Bankruptcy Case No. 07-10887, however, on December 6, 2007, on the motion of Westernbank Puerto Rico, the Bankruptcy Court vacated the order for joint administration.

2. Appellees Westernbank Puerto Rico (“Westernbank”) and Stephen S. Gray, Chapter 11 Trustee for Inyx USA, Ltd. (the “Trustee,” and together with Westernbank, the “Appellees”) shall file and serve their responsive briefs within twenty (20) days after filing and service of Appellant’s opening brief; and

3. Appellant may file and serve a reply brief within fifteen (15) days after the filing and service of the Appellees’ responsive briefs, with the computation of time beginning with the latest filed brief by the Appellees.

The computation of any time period set forth above will be computed in accordance with Rule 6 of the Federal Rules of Civil Procedure.

BY THE COURT:

THE HONORABLE GREGORY M. SLEET
CHIEF UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Leslie C. Heilman, Esquire, certify that I am over 18 years of age and that on this 25th day of February, 2008, I caused a true and correct copy of the [Proposed] Stipulated Briefing Schedule, together with the Notice of Filing, to be served on addressees on the attached service list in the manner indicated.

/s/ Leslie C. Heilman
Leslie C. Heilman, Esquire (No. 4716)

VIA HAND DELIVERY

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